

**What is a Restraining Order?**

It is a court order.

**What does the order do?**

The court can order you to:

- Not contact the person who asked for the order
- Not take any action to obtain that person's address or location
- Stay away from that person and the person's home and workplace
- Not have any guns while the order is in effect

**Who can ask for a Restraining Order?**

A person who is being:

- Financially abused
- Neglected
- Abandoned or abducted
- Isolated
- Harmed, or
- Deprived by a caregiver of goods or services necessary to live on

**How long does the order last?**

If the court makes a temporary order, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. The order could last for up to 3 years.

**What if I don't obey the order?**

The police can arrest you. You can go to jail and pay a fine.

**What if I don't agree with what the order says?**

You still must obey the order until the hearing.

If you disagree with the orders the person is asking for, fill out Form EA-110 before your hearing date, serve it, and file it with the court. If you need to add attachments, you may use form MC-020.

**Do I have to serve the other person with a copy of my answer?**

Yes. Someone—other than yourself—must mail a copy of your completed Form EA-110 to the person who asked for the order (or that person's lawyer). (This is called "service.")

The person who serves the form by mail should fill out Form EA-141, *Proof of Service by Mail*. Make a copy of the proof of service and file it with the court clerk.

**Should I go to the court hearing?**

Yes. Go to court on the date listed on Form EA-120. If you do not go to court, the judge can make orders without hearing from you.

**EA-120 Notice of Hearing and Temporary Restraining Order**

1 Name of person asking for protection:

Address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

City: State: Zip:

Your telephone number (optional): ( )

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number):

2 Name of person to be restrained:

Description of that person:

Sex: ☐ M ☐ F Height: Weight: Race:

Hair Color: Eye Color: Age: Date of Birth:

Home Address (if known):

City: State: Zip:

Work Address (if known):

City: State: Zip:

To the person in 2:

3 Notice of Hearing

A court hearing is scheduled on the request for orders against you to stop abuse:

Name and address of court if different from above:

Hearing Date: Date: Time: Dept.: Rm.:

4 Court Orders

The court (check a or b):

a. ☐ Has scheduled the hearing stated in 3. No orders are issued against you at this time.

b. ☐ Has scheduled the hearing stated in 3 and has issued the temporary orders against you specified on pages 2, 3, and 4. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

This is a Court Order.

Judicial Council of California, www.courtinfo.ca.gov  
Revised January 1, 2007. Mandatory Form  
Code of Civil Procedure, § 121.9  
Statutes & Constitutional Code, § 16607.03  
Approved by SCSJ

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**Do I need a lawyer?**

No. But it is a good idea. Ask the court clerk about legal services and self-help centers in your county.

**Will I see the person who asked for the order at the court hearing?**

If the person goes to the hearing, yes. Do not talk to that person unless the judge says you can.

**Can I bring a witness to the court hearing?**

Yes. You can bring witnesses or documents that support your case. But, if possible, you should also bring to the hearing written statements from the witnesses of what they saw or heard. Their statements must be made under penalty of perjury. You can use Form MC-030 for this.

**Can I bring someone with me to court?**

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your lawyer, if you have one, can speak for you.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If an interpreter is not available for your court date, bring someone to interpret for you. You cannot ask a child under 18 to interpret for you.

**What if I am deaf?**

If you are deaf, contact the clerk at least 5 days before the hearing. (See information on Requests for Accommodations below.)

**Need more information?**

Ask the court clerk about free or low-cost legal help.

**For help in your area, contact:**

[Local information may be inserted]

**Requests for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to [www.courtinfo.ca.gov/forms](http://www.courtinfo.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civil Code, § 54.8)

